

MAR. 7. 2001 7:26AM

NO. 0303 P. 2

## DECLARATION AND POWER OF ATTORNEY FOR ORIGINAL U.S. PATENT APPLICATION

Attorney's Docket No.NFC1P004X1

As a below-named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe that I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:  
**METHOD AND APPARATUS FOR FILTERING AN OPTICAL BEAM** the specification of which,

(check one)

1.  is attached hereto.
2.  was filed on July 27, 2000 as  
U.S. Application No. \_\_\_\_\_  
and was amended on \_\_\_\_\_.
3.  was filed on \_\_\_\_\_ as  
International PCT Application No. \_\_\_\_\_  
and was amended on \_\_\_\_\_.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, CFR § 1.56.

### Prior Foreign Application(s)

I hereby claim foreign priority benefits under Title 35, United States code, § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have identified below, by checking the box, any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed:

Priority Benefits Claimed?  
Yes  No

(Application No.)	(Country)	(Filing Date)
_____	_____	_____

Yes  No

### Provisional Application(s)

I hereby claim the benefit under 35 U.S.C. §119(e) of any United States provisional application(s) listed below:

<u>60/145,831</u>	<u>July 27, 1999</u>
(Application No.)	(Filing Date)

\_\_\_\_\_

**Prior U.S. Application(s)**

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s), or § 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

(Application No.)	(Filing Date)	(Status - patented, pending, abandoned)

**Power of Attorney**

And I hereby appoint Charles C. Cary, Reg. No. 36,764 and Robert H. Kelly, Reg. No. 33,922, all of the law firm of **CARY & KELLY, LLP**, 1875 Charleston Road, Mountain View, California, 94043, and all practitioners who are associated with this firm as my principal attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

**Direct Correspondence To:**

**CARY & KELLY, LLP**  
1875 Charleston Road  
Mountain View CA, 94043

**Direct Telephone Calls To:**

Charles C. Cary at telephone number (650) 533-4844

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Typewritten Full Name of Sole or First Inventor:

Evan D. H. GREEN

Citizenship: US

Inventor's signature:

Date of Signature: 3/6/01

Residence: (City)

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Full Name of Second Joint Inventor (if any):

William B. CHAPMAN

Citizenship: US

Inventor's signature:

Date of Signature: 02/28/01

Residence: (City)

Sunnyvale

(State/Country) CA/USA

Post Office Address:

421 S. Pastoria Avenue, Sunnyvale, California 94086

<b>POWER OF ATTORNEY BY ASSIGNEE</b>	Attorney Docket	NUFO-021
	First Named Inventor	GREEN
	Application Number	09/626,526
	Filing Date	July 27, 2000
	Examiner Name (Group Art Unit)	C. Jackson
	Title: METHOD AND APPARATUS FOR FILTERING AN OPTICAL BEAM	

New Focus, Inc., assignee of the above-identified application (assignment recorded March 12, 2001 at Reel 011397, Frame 0116), hereby revokes all previous powers and appoints: Joseph T. FitzGerald Reg. No. 33,881 of New Focus, Inc. and BOZICEVIC, FIELD & FRANCIS LLP

Name	Registration No.	Name	Registration No.
Karl Bozicevic	28,807	Pamela J. Sherwood	36,677
Bret E. Field	37,620	Carol M. LaSalle	39,740
Carol L. Francis	36,513	Paula A. Borden	42,344
Alan W. Cannon	34,977	Nicole A. Verona	47,153
Kathleen S. Hall	44,143	Robert C. Hall	39,209

as its attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the Patent and Trademark Office connected therewith.

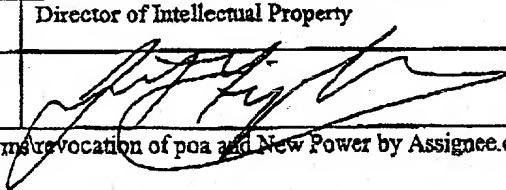
**DIRECT ALL CORRESPONDENCE TO:**

Individual Name	Robert C. Hall (Reg. No. 39,209)		
Firm Name	BOZICEVIC, FIELD & FRANCIS LLP		
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**SIGNATURE of Assignee of Record**

In accordance with 37 CFR 1.73(b) I hereby certify that I am empowered to act on behalf of the Assignee of the above-identified patent application. *The original assignment is enclosed herewith for recordation in the U.S. Patent Office. (OR) The original Assignment is concurrently being forwarded to the Assignment Branch of the U.S. Patent Office for recordation. (OR) The Assignment was recorded with the U.S. Patent Office on \* at Reel \*, Frame s \**.

I declare that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Title 18, United States Code 1001 and that such willful false statements may jeopardize the validity of the above referenced application or any patent resulting from that application.

Name and Company	Joseph T. FitzGerald		
Title	Director of Intellectual Property		
Signature		Date	8-27-01